

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 OMAR QAZI,

8 Defendant.

Case No. 2:15-cr-00014-APG-VCF

**ORDER AFFIRMING, IN PART,
MAGISTRATE JUDGE'S ORDER**

(ECF Nos. 363, 369, 372)

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10 Both the Government and defendant Omar Qazi objected (ECF Nos. 369, 372) to Magistrate
11 Judge Ferenbach's Order (ECF No. 363) addressing several of Qazi's discovery requests. I have
12 reviewed the objections, Judge Ferenbach's Order, and the related papers. With regard to Qazi's
13 objections (ECF No. 372), Judge Ferenbach's Order is not "clearly erroneous or contrary to law."
14 Local Rule IB 3-1(a). I therefore affirm those portions of his Order.

15 With regard to the Government's objection (ECF No. 369), I have listened, *in camera*, to a
16 recording of a portion of the grand jury proceedings.¹ No instructions regarding *mens rea* or
17 interstate commerce were given. Thus, Qazi's request for—and Magistrate Judge Ferenbach's
18 Order requiring the Government to produce—a copy of the instructions given to the grand jury on
19 *mens rea* and interstate commerce are moot. Accordingly, that portion of the Order will be vacated.

20 IT IS HEREBY ORDERED that Qazi's Objection (**ECF No. 372**) is **overruled**. The
21 Government's Objection (**ECF No. 369**) is **granted**. Magistrate Judge Ferenbach's Order (ECF
22 No. 363) is affirmed in all respects except the portion about legal instructions to the grand jury.
23 That portion of the Order is vacated.

24 Dated: December 13, 2017.

25 
ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

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28 ¹ At the time Magistrate Judge Ferenbach issued his Order, he had not been provided a copy of
this recording. Thus, he could not have conducted an *in camera* review of it.